

REMARKS

Claims 1-322 were previously pending in this application, claims 1-37, 53-56, 61-66, 68-69, 71-92, 95-129, 143-152, 154-157, 166-213, 229-232, 237-242, 244-246, and 248-309 being elected in a Response to a Restriction/Election Requirement. By this amendment, Applicant is canceling non-elected claims 38-52, 57-60, 67, 70, 93-94, 130-142, 153, 158-165, 214-228, 233-236, 243, 247, and 310-322 without prejudice or disclaimer. Claims 3, 6, 10-11, 15, 18, 20-21, 24-26, 32-33, 53, 56, 61-62, 65-66, 68, 71, 76, 82, 90, 95, 100-103, 110, 112, 114-115, 118-121, 123-125, 143, 150, 152, 154-157, 166-167, 177, 179, 181-182, 184, 191, 194-197, 200, 202, 208-209, 229, 232, 237-238, 241, 244, 248, 250, 254-256, 260, 263, 271, 273, 276-277, 279-280, 286, 289-290, 292-296, 299, 302-303 and 305 have been amended. No new claims have been added. As a result claims 1-37, 53-56, 61-66, 68-69, 71-92, 95-129, 143-152, 154-157, 166-213, 229-232, 237-242, 244-246, and 248-309 are pending for examination with claims 1, 26, 32, 53, 61, 65, 68, 71, 126, 143, 154, 166, 177, 202, 208, 229, 237, 241, 244, 248 and 306 being independent claims. In response to the Office Action dated December 23, 2004 the Applicants request reconsideration.

Summary of Telephone Conference with Examiner

In a telephone conference on March 24, 2004, the Applicants' attorneys spoke with the Examiner regarding the substance of the rejection of the claims. The Examiner acknowledged that none of the art of record (including Abecassis and Curtis) discloses an illumination source in addition to a display screen, for example, as recited in claim 1. The cited references and patentable merits of the claims are set forth below.

Rejections Under 35 U.S.C. §102**Regarding Claims 1, 26, 32, 53, 65, 71, 126, 143, 154, 166, 177, 202, 208, 229, 241, 244, 248 and 306**

The Office Action rejected claims 1, 26, 32, 53, 65, 71, 126, 143, 154, 166, 177, 202, 208, 229, 241, 244, 248 and 306 under 35 U.S.C. §102(b) as allegedly being anticipated by U.S.

Regarding Claims 65 and 237

Claims 65 and 237 were rejected under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent No. 6,560,707 to Curtis, et al. (hereinafter Curtis). The Applicants respectfully traverse these rejections.

Curtis is directed to a media coordination system providing secure communications channels in a network environment, for transmitting video and audio data (Abstract). The video data may be presented on a display; however, there is no disclosure or suggestion of coordinating presentation of the video data with a lighting system.

Claim 65 recites a method comprising at least one step including establishing a simulated environment, and at least one step including controlling a lighting system to illuminate the simulated environment. Curtis does not disclose or suggest establishing a simulated environment, nor controlling a lighting system to illuminate the simulated environment. Accordingly, claim 65 patentably distinguishes over Curtis. Withdrawal of the rejection of claim 65 is respectfully requested.

Claim 237 recites an apparatus comprising a computer-based representation of a solid model in a virtual environment, and a controller for a light system, the controller adapted to control the light system to illuminate a solid model real environment in correspondence with the modeled effect of the light in the virtual environment. Curtis does not disclose providing an apparatus comprising a computer-based representation of a solid model, and a controller adapted to control a lighting system to illuminate a solid model in correspondence with modeling illumination in a virtual environment. Accordingly, claim 237 patentably distinguishes over Curtis. Withdrawal of the rejection of claim 237 is respectfully requested.

Patent No. 6,553,178 to Abecassis (hereinafter Abecassis). The Applicants respectfully traverse these rejections.

Abecassis is directed to a video delivery system that presents information to a viewer based on the viewer's video content preferences (Abstract). For example, the viewer can select content to be viewed based on the degree of profanity, violence and bloodshed (See FIG. 1A). The video display system includes a display screen; however, there is no disclosure or suggestion in Abecassis of coordinating presentation of the video content on the display screen with any illumination source.

Each of independent claims 1, 26, 32, 53, 65, 71, 126, 154 and 166 recites a method comprising at least one step including acting upon an illumination source (or an illumination system or a lighting system or a lighting fixture), and at least one step including acting upon a display screen (or a computer screen or a computing device or a simulated environment). As agreed to with the Examiner during the telephone conference, Abacassis does not disclose or suggest both a display screen and an illumination source (or an illumination system or a lighting fixture); rather, at best, Abecassis merely discloses the display screen, but not the illumination source. Accordingly each of claims 1, 26, 32, 53, 65, 71, 126, 154 and 166 patentably distinguishes over Abecassis. Withdrawal of the rejection of said claims is respectfully requested.

Each of independent claims 177, 202, 208, 229, 241, 244, 248 and 306 recites an apparatus comprising a display screen (or computer screen or a simulated environment), and an illumination source (or an illumination system or lighting system). As agreed to with the Examiner during the telephone conference, again Abecassis does not disclose or suggest an apparatus having both an illumination source and a display screen. Accordingly each of claims 177, 202, 229, 241, 244, 248 and 306 patentably distinguishes over Abecassis. Withdrawal of the rejection of said claims is respectfully requested.

Independent claim 143 discloses an apparatus comprising a frame to reflect light, and a computing system. Abacassis does not disclose a frame to reflect light. Accordingly claim 143 patentably distinguishes over Abecassis. Withdrawal of the rejection of said claim is respectfully requested.

Rejections Under 35 U.S.C. §103

The Office Action rejected claims 2-25, 27-31, 33-37, 53-56, 65-66, 72-125, 126-129, 144-152, 155-157, 167-176, 178-201, 203-207, 209-213, 229-232, 242, 245-246, 249-305, and 307 under 35 U.S.C. §103(a).

Regarding Claims 2-25, 27-31, 33-37, 53-56, 65-66, 72-125, 126-129, 144-152, 155-157, 167-176, 178-201, 203-207, 209-213, 229-232, 242, 245-246, 249-305, and 307

Said claims were rejected as allegedly obvious under 35 U.S.C. §103(a) over Abecassis. The Applicants traverse these rejections.

Each of independent claims 53, 65, 126 and 229 was also rejected over Abecassis under 35 U.S.C. §102(b). It is unclear why these claims also were rejected under 35 U.S.C. §103(a). In any case, these claims patentably distinguish over Abecassis.

As discussed above, each of claims 53, 65 and 126 recites a method comprising at least one step including acting upon an illumination source (or a lighting system or an illumination system or a lighting fixture), and at least one step including acting upon a display screen (or a computing device, or a simulated environment). As agreed to with the Examiner during the telephone conference, Abecassis does not disclose or suggest a method comprising such acts, nor does the Office Action point to another reference that teaches or suggests modifying Abecassis to include such acts. Accordingly each of claims 53, 65 and 126 patentably distinguishes over Abecassis. Withdrawal of the rejection of said claims is respectfully requested.

Also, as discussed above, claim 229 recites an apparatus comprising a display screen and a lighting system. As agreed to with the Examiner during the telephone conference, Abecassis does not disclose or suggest an apparatus comprising a display screen and a lighting system. Nor does the Office Action point to another reference that teaches or suggests modifying Abecassis to include a display screen and a lighting system. Accordingly, claim 229 patentably distinguishes over Abecassis. Withdrawal of the rejection of claim 229 is respectfully requested.

For reasons stated above, each of independent claims 1, 26, 32, 53, 65, 71, 126, 143, 154, 166, 177, 202, 208, 229, 241, 244, 248 and 306 is patentable over Abecassis. Each of dependent claims 2-25, 27-31, 33-37, 54-56, 66, 72-125, 127-129, 144-152, 155-157, 167-176, 178-201,

203-207, 209-213, 230-232, 242, 245-246, 249-305, and 307 depends from one of said independent claims.

Claims 2-25 depend from claim 1. Claims 27-31 depend from claim 26. Claims 33-37 depend from claim 32. Claims 54-56 depend from claim 53. Claim 66 depends from claim 65. Claims 72-125 depend from claim 71. Claims 127-128 depend from claim 126. Claims 144-152 depend from claim 143. Claims 155-157 depend from claim 154. Claims 167-176 depend from claim 166. Claims 178-201 depend from claim 177. Claims 203-207 depend from claim 202. Claims 209-213 depend from claim 208. Claims 230-232 depend from claim 229. Claim 242 depends from claim 241. Claims 245-246 depend from claim 244. Claims 249-305 depend from claim 248. Claim 307 depends from claim 306.

Accordingly, each of said dependent claims is patentable over Abecassis at least for the same reasons as the independent claim from which it depends. Accordingly, withdrawal of these rejections is respectfully requested.

Regarding Claims 27-31 and 238-240

Claims 27-31 and 238-240 were rejected as obvious under 35 U.S.C. §103(a) over Curtis.

Claims 27-31 depend from claim 26.

For reasons stated above, claim 26 is patentable over Curtis. Accordingly, each of claims 27-31 also is patentable over Curtis for at least the same reasons as claim 26. Accordingly, withdrawal of the rejection of claims 27-31 is respectfully requested.

Claims 238-240 depend from claim 237. For reasons stated above, claim 237 is patentable over Curtis. Accordingly, each of claims 238-240 is patentable over Curtis at least for the same reasons as claim 237. Accordingly, withdrawal of the rejection of claims 238-240 is respectfully requested.

Allowable Subject Matter

Claims 61-64, 68-69, 238-240 and 308-309 are not addressed in the Office Action. The Applicant assumes that these claims have been allowed.

Regarding Information Disclosure Statements

The Applicants respectfully request that an initialed copy of the 1449 Form from an IDS filed on July 30, 2002 be provided to the Applicants with the next correspondence. A copy of the IDS, along with a corresponding postcard stamped by the U.S.PTO, is included herewith.

Amendments to the Specification

Applicant's have rearranged the order of applications identified in the priority claim ("Cross Reference to Related Applications") to clarify the relationship of these applications. No new matter is added.

CONCLUSION

In view of the foregoing amendments and remarks, this application should now be in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is requested to call the Applicants' attorney at the telephone number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicants hereby request any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 50/2762.

Respectfully submitted,
Kevin J. Dowling, et al., Applicants

By: 
Jeffrey B. Powers, Reg. No. 45,021
LOWRIE, LANDO & ANASTASI, LLP
One Main Street
Cambridge, Massachusetts 02142
United States of America
Telephone: 617-395-7000
Facsimile: 617-395-7070

Docket No.: C01104/70087 (JT)

Date: April 23, 2004